

UNITED STATES DISTRICT COURT

for the
District of New MexicoFILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

15 SEP 11 PM 3:08

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)The residence at 229 Robin Street, Cochiti Pueblo, New
Mexico, its curtilage, any cellular telephone or vehicle on
the property and the person of Marcelino Chalan.

Case No. 15mr582 CLERK-ALBUQUERQUE

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under
penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the
property to be searched and give its location):The residence at 229 Robin Street, Cochiti Pueblo, New Mexico, its curtilage, any cellular telephone or vehicle on the
property and the person of Marcelino Chalan.located in the _____ District of _____ New Mexico, there is now concealed (identify the
person or describe the property to be seized):United States currency, money wrappings, robbery notes, clothing worn during the commission of bank robberies, bags
used during bank robberies and a cellular telephone used during the commission of a bank robbery.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 USC § 2113

Bank Robbery

Offense Description

The application is based on these facts:
See attached affidavit.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested
under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Paul D. Wright

Applicant's signature

PAUL D. WRIGHT, SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date:

September 11, 2015

City and state:

Albuquerque NM

Karen B. Molzen

Judge's signature

KAREN B. MOLZEN
U.S. MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT OF PAUL D. WRIGHT

Your Affiant, Paul D. Wright, having been first duly sworn, does hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), United States Department of Justice. I have been so employed since October 1998. I am therefore authorized to investigate federal criminal offenses. I am currently the Bank Robbery Coordinator for the Albuquerque Division of the FBI and as such have participated in investigations of suspected violations of federal bank robbery laws, including Title 18, United States Code (USC), Section (§) 2113. My experience prior to being a Special Agent includes more than two years as a military policeman, for a total of nineteen years of experience in law enforcement. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers or from reliable sources.
2. This affidavit will show that there is probable cause in support of a search warrant for the residence at 229 Robin Street, Cochiti Pueblo, New Mexico (NM), and its curtilage, to include any vehicles parked on the property and any sheds or other structures at the property, as well as for any cellular telephones on the property, and for the person of Marcelino Chalan.
3. The statements contained in this affidavit are based upon your Affiant's investigation, training and experience and information provided by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of securing a search warrant, your Affiant has not included each and every fact known to me concerning this investigation. Your Affiant has set forth only the facts which your Affiant believes are necessary to establish probable cause to support a search warrant for the aforementioned

property, its curtilage, any vehicle on the property and any cellular telephone on the property.

4. This investigation concerns an alleged violation of 18 USC § 2113.
5. 18 USC § 2113 prohibits taking, by force and violence or by intimidation, money in the possession of a bank or credit union.
6. On July 20, 2015, at approximately 2:32 p.m., a male subject entered the Albertsons supermarket located at 3301 Southern Boulevard (Blvd) SE, Rio Rancho, NM. Surveillance camera images depict the subject as he appeared to speak on a cellular telephone for approximately seven minutes, while intermittently holding a white object. The subject then approached the teller counter of a branch of Wells Fargo Bank which is located inside the Albertsons supermarket at the above address. Based on surveillance camera images and witnesses' descriptions, the subject appeared to be a Hispanic male in his thirties, approximately 5'8" or 5'10" tall and of slender build. The subject wore a beige fishing hat, white-rimmed glasses with blue lenses, a dark green shirt, a blue bandana or similar cloth around his neck and faded blue jeans. As the subject approached the counter, a bank employee asked the subject to remove his hat and glasses. The subject did not remove the hat or glasses, stated that he needed to make a withdrawal and presented a handwritten note to the victim teller. The teller did not subsequently remember the exact verbiage of the note, but did remember that it contained a robbery demand. The subject placed a gray plastic shopping bag bearing a Wal-Mart logo on the counter and ordered the teller to place money in the bag.
7. The teller complied with the subject's written and verbal robbery demands. She took an estimated \$1,514 in United States (US) currency from her teller drawer and placed it into the Wal-Mart bag. The subject took the bag from the counter and fled the supermarket. Based on surveillance camera images and the statements of witnesses, the subject turned

right after exiting Albertsons, ran south along the shopping center sidewalk, turned west, ran around the southern edge of the shopping center, ran toward the west and up a flight of stairs to the Entrada Pointe apartment complex, which is a property adjacent to the shopping center where the Albertsons supermarket is located. A witness (hereinafter referred to as Witness 2) observed the subject run to a vehicle and enter the vehicle as a passenger. Witness 2 described the vehicle as a white, older model Toyota Corolla. The Toyota was driven by individual with long brown hair whom Witness 2 believed to be female because of the long hair. After the subject got into the Toyota, the vehicle left its parking space, headed north and exited the apartment complex onto Oakmount Drive SE.

8. The Federal Deposit Insurance Corporation (FDIC) insures the deposits of Wells Fargo Bank, wherefore the latter institution is a bank as defined under 18 USC § 2113.
9. The aforementioned branch of Wells Fargo Bank is located in Sandoval County, NM, and suffered a financial loss in the robbery.
10. On July 27, 2015, a male subject approached the entrance of the branch of First National Rio Grande located at 7620 Jefferson Street (St) NE, Albuquerque, NM. The subject stood outside the branch for several minutes, during which time the victim teller attended a customer. Once the customer concluded his transaction and exited the branch, the subject entered the branch and approached the work station of the victim teller at approximately 1:15 p.m. Based on witness descriptions and surveillance camera images, the subject was a Hispanic or Native American male in his mid-twenties, approximately 5'10" tall, of slender build, dark-skinned, with dark brown hair. The subject wore a red baseball cap, black sunglasses, a black tee shirt and blue jeans. The subject presented a white piece of paper containing a handwritten note and also presented a plastic bag. The victim teller did not subsequently remember most of the text of the note, but did remember that it contained the word "gun." The subject made verbal demands to the effect of, "Give me everything in your top drawer" and "Put it in the bag."
11. The victim teller complied with the subject's verbal and written robbery demands. She

took an estimated \$1,728 in US currency from her teller drawer and placed it into the bag. The subject took the bag as well as the note and exited the branch. Bank employees last observed the subject walking in the direction of Jefferson St.

12. The FDIC insures the deposits of First National Rio Grande, wherefore the latter institution is a bank as defined under 18 USC § 2113.
13. The above branch of First National Rio Grande is located in Bernalillo County, NM, and suffered a financial loss in the robbery.
14. On August 3, 2015, at approximately 9:00 a.m. or shortly thereafter, two employees at a print shop located at 7201 Jefferson St NE, Albuquerque, NM, observed a white four-door sedan parked in the parking lot. One employee observed that the car's motor was running and that an unknown male individual was seated in the car. At approximately 9:16 a.m., an unknown male subject entered the branch of Santa Fe Federal Credit Union located at 7101 Jefferson St NE, Albuquerque, NM, located two doors down from the aforementioned print shop. Surveillance camera images from an automotive shop located between the print shop and the credit union depict the subject as he approaches the credit union from the direction of the print shop. Based on witnesses' descriptions and surveillance camera images, the subject was a Native American male in his early thirties, approximately 5'6" tall, of slender build and with dark hair and "scruffy" facial hair. The subject wore a beige fishing hat, sunglasses, a navy blue tee shirt and beige pants. The subject approached the station of the victim teller, presented a handwritten note and placed a white plastic bag on the counter. The victim teller did not subsequently remember the full text of the note, but remembered that it contained an order to the effect of, "Just put the money in the bag." The subject issued several verbal commands to the victim teller, to the effect of, "Just do it fast," "Don't do anything stupid," and "Don't push any buttons."
15. The victim teller complied with the subject's verbal and written robbery demands, taking an estimated \$5,977 in US currency from her teller drawer and placing it on the counter.

The subject took the currency, placed it in the bag, took the note, exited the branch and headed north, in the direction of the aforementioned print shop.

16. The National Credit Union Administration insures the deposits of Santa Fe Federal Credit Union, wherefore the latter institution is a credit union as defined under 18 USC § 2113.
17. The aforementioned branch of Santa Fe Federal Credit Union is located in Bernalillo County, NM, and suffered a financial loss in the robbery.
18. Following each of the aforementioned robberies, the FBI distributed press releases, which included surveillance camera images, to local news media outlets. The news media outlets broadcast stories about the robberies on television and posted them on the Internet. The FBI also posted stories and surveillance camera images regarding the robberies on the Internet.
19. In late August 2015, a cooperative witness (hereinafter referred to as the CW) contacted law enforcement through a third party and advised that he or she knew the identity of the subject of three recent bank robberies. Your affiant subsequently interviewed the CW in early September 2015. Your affiant is aware that the CW previously provided reliable information to law enforcement in an unrelated criminal matter. The following paragraphs summarize information provided by the CW in the September 2015 interview.
20. The CW stated that in late June 2015, the CW met an individual named Marcelino Chalan. The CW described Chalan as a 27-year old Native American male, tall, of slender build and with close-cropped hair. Chalan resides at Cochiti Pueblo, NM, in the vicinity of Robin Street. The CW and Chalan did part-time work together and started using narcotics together. The CW and Chalan began to see each other almost on a daily basis. Chalan often obtained heroin which the two of them used. On or about August 20, 2015, Chalan told the CW that he had a new heroin supplier and instructed the CW to drive to an apartment complex so that Chalan could obtain heroin from the supplier. At Chalan's direction, the CW drove Chalan in the CW's white, older model Toyota Camry automobile to an apartment complex which the CW described as being behind an

Albertsons supermarket on Southern Blvd in Rio Rancho, NM. Chalan exited the CW's vehicle and walked toward the Albertsons supermarket until he disappeared from the CW's sight. The CW waited in the Toyota. Chalan wore a fishing hat, a black tee shirt, tan pants and white shoes. Chalan also had a cellular telephone with him.

21. Approximately ten or fifteen minutes later, Chalan returned and had heroin with him. Later the same day, the CW overheard Chalan boast that he had robbed Wells Fargo earlier in the day. Chalan stated that he had used a note and that "they" had given him money. The CW was suspicious of Chalan's boast. The CW subsequently viewed a news story on the Internet of a robbery which had occurred earlier the same day at a branch of Wells Fargo Bank located inside an Albertsons on Southern Blvd in Rio Rancho. The story contained surveillance camera images of the bank robber. The CW viewed the images and recognized the bank robber as Chalan. The CW noted that the bank robber's clothing appeared to be identical to that which Chalan had worn earlier the same day when he walked toward the Albertsons and returned ten or fifteen minutes later. The CW also noted that the Chalan's physical appearance looked identical to that of the bank robber.
22. On or about July 27, 2015, the CW met with Chalan and noticed that Chalan had an unusually large quantity of heroin with him. The CW was suspicious as to how Chalan had obtained so much heroin, but did not question him about it.
23. On the morning of August 3, 2015, Chalan contacted the CW and asked the CW to pick him up. The CW picked up Chalan in his white Toyota Camry and the two drove to Albuquerque. Chalan told the CW that he had a new heroin supplier and asked to use the CW's car to pick up heroin. The CW agreed and Chalan dropped off the CW. Chalan was gone for a long time but eventually picked up the CW. Chalan had an unusually large amount of heroin and also showed a large amount of US currency. The CW was suspicious regarding how Chalan had such a large amount of heroin and currency. Later the same day, the CW viewed stories on the Internet regarding bank robberies which had


happened on July 27 and August 3, 2015, in Albuquerque. Both stories contained surveillance camera images of the subjects of the robberies. The CW recognized Chalan as the subject of both bank robberies. Your affiant showed the CW three surveillance camera images from the aforementioned robbery at Santa Fe Federal Credit Union, on August 3, 2015. The CW recognized two of the images as ones which he or she had seen on the Internet on August 3. The CW identified Chalan as the bank robbery subject in those images.

24. The FBI subsequently identified Marcelino Chalan, a 27-year-old Native American male, of 229 Robin Street, Cochiti Pueblo, NM, as an individual fully matching the description of the individual of the same name provided by the CW. The FBI was unable to identify any other individual matching the same description. The FBI contacted officials of the Bureau of Indian Affairs and of Cochiti Pueblo and identified 229 Robin Street as Chalan's residence. A Cochiti Pueblo official pointed out the residence on a photographic aerial map. The residence is particularly described as a single-story dwelling located on the west side of Robin Street, between two two-story dwellings, the first residence on the west side of Robin Street south of the intersection with Cottontail Street.
25. The FBI conducted surveillance of the residence and observed at least one shed-like structure behind the main residence and several automobiles parked on the property, which could not be fully identified from the street.
26. In my training and experience working bank robbery investigations, bank robbers often conceal their clothing, robbery notes, disguises and the proceeds of their robberies in their houses and vehicles and on their persons. Based on the aforementioned facts, there is probable cause to believe that evidence of the bank robberies, specifically United States currency, money wrappings, robbery notes, clothing worn during the bank robberies, bags used during the bank robberies and a telephone used during the commission of the aforementioned robbery of Wells Fargo Bank, will be found at 229 Robin Street, Cochiti

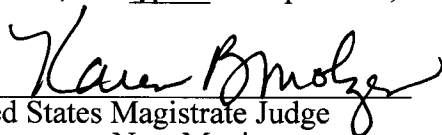
Pueblo, NM, its curtilage, to include any shed or similar structure on the property, any vehicle on the property, any cellular telephone located on the property and on the person of Marcelino Chalan.

I swear that this information is true and correct to the best of my knowledge, information and belief.

Respectfully submitted,


Paul D. Wright
Special Agent
Federal Bureau of Investigation

Subscribed to and sworn to
before me, this 11th of September, 2015


United States Magistrate Judge
Albuquerque, New Mexico